

Message Text

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ORIGIN L-03

INFO OCT-01 EUR-12 ISO-00 FEA-01 USIE-00 SSO-00 NSCE-00

AID-05 CEQ-01 CIAE-00 OFA-01 COME-00 DODE-00 EB-07

EPA-04 INR-07 IO-10 NSF-02 NSC-05 NSAE-00 PM-03

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FM SECSTATE WASHDC

TO AMEMBASSY OTTAWA IMMEDIATE

INFO AMCONSUL QUEBEC

UNCLAS STATE 180620

E.O. 11652: N/A

TAGS: SENV, CA

SUBJECT: RICHELIEU-CHAMPLAIN REGULATION

1. EMBASSY IS REQUESTED TO DELIVER THE FOLLOWING NOTE TO
MINISTRY OF EXTERNAL AFFAIRS NO LATER THAN COB AUGUST 1:

2. BEGIN TEXT: "THE EMBASSY OF THE UNITED STATES PRESENTS
ITS COMPLIMENTS TO THE MINISTRY OF EXTERNAL AFFAIRS AND HAS
THE HONOR TO REFER TO THE MEETING OF UNITED STATES AND
CANADIAN OFFICIALS HELD IN OTTAWA ON MAY 28, 1975 TO DISCUSS
THE INTERNATIONAL JOINT COMMISSION'S 'INTERIM REPORT ON THE
REGULATION OF THE RICHELIEU RIVER AND LAKE CHAMPLAIN.' AT
THAT MEETING CANADIAN OFFICIALS PRESENTED A NEW PLAN IN-
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VOLVING TWO PHASES OF REGULATION, THE FIRST OF WHICH WOULD
AFFORD A MEASURE OF FLOOD CONTROL PROTECTION ALONG THE
RICHELIEU RIVER BY NEXT SPRING. THE CANADIAN SIDE EX-
PRESSED A DESIRE TO PROCEED WITH AN APPLICATION TO THE COM-

MISSION AND SOLICITED VIEWS FROM THE UNITED STATES SIDE ON THE PROPOSED PLAN.

"MINDFUL OF THE CONCERNS WHICH PREVAIL ON BOTH SIDES OF THE BORDER, THE UNITED STATES GOVERNMENT HAS GIVEN THIS PLAN CAREFUL CONSIDERATION. INTERESTED FEDERAL AND STATE AGENCIES HAVE BEEN AFFORDED OPPORTUNITY TO COMMENT.

"THE PLAN PROPOSED BY THE GOVERNMENT OF CANADA, IN ITS FIRST STAGE, WOULD INVOLVE A PERMANENT, YEAR-ROUND LOWERING OF LEVELS ON LAKE CHAMPLAIN. THE WORKS CONTEMPLATED WOULD HAVE THE CAPACITY TO MAINTAIN NATURAL LEVELS AND FLOWS, BUT SUCH A CAPACITY COULD ONLY COME ABOUT WITH COMPLETION OF THE SECOND STAGE CONTROL STRUCTURE. THE ENVIRONMENTAL CONSEQUENCES OF SUCH REGULATION AS IS CONTEMPLATED BY THE FIRST STAGE PROPOSAL ARE UNCLEAR, BUT CERTAINLY ENCOMPASS CONCERNS WHICH ARISE IN CONNECTION WITH THE PLAN P-5 PROPOSAL TO REGULATE SEASONALLY IN HIGH WATER PERIODS WHICH THE INTERNATIONAL RICHELIEU-CHAMPLAIN ENGINEERING BOARD FAVORED ON ENVIRONMENTAL GROUNDS. THE INTERNATIONAL JOINT COMMISSION IN ITS INTERIM REPORT HAS CONCLUDED THAT FURTHER INTENSIVE ENVIRONMENTAL STUDIES ARE REQUIRED AS WELL AS A REDETERMINATION OF NET BENEFITS IN DEFINING A PRACTICABLE MODE OF REGULATION. THE GOVERNMENT OF CANADA HAS ACCEPTED THE COMMISSION'S RECOMMENDATIONS IN THIS REGARD. IT IS NOT POSSIBLE FOR THE GOVERNMENT OF THE UNITED STATES TO CONCUR IN A PLAN OF REGULATION OF THE LEVELS OF THE LAKE UNTIL SUCH STUDIES ESTABLISH ITS FEASIBILITY AND ENVIRONMENTAL ACCEPTABILITY.

"THE GOVERNMENT OF THE UNITED STATES IS OF THE VIEW THAT THE INTERNATIONAL JOINT COMMISSION'S INTERIM REPORT, WHICH CONTEMPLATES APPLICATION BY THE GOVERNMENT OF CANADA FOR REGULATORY WORKS, BUT WHICH WOULD ENSURE THE MAINTENANCE OF NATURAL LEVELS AND FLOWS PENDING COMPLETION OF THE STUDY EFFORT DURING THE CONSTRUCTION OF ANY SUCH WORKS,
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REMAINS A VIABLE BASIS FOR A MUTUALLY SATISFACTORY APPROACH TO THE QUESTION OF LAKE CHAMPLAIN REGULATION. THE GOVERNMENT OF THE UNITED STATES ENCOURAGES THE GOVERNMENT OF CANADA TO EXPLORE FURTHER THE POSITIVE ASPECTS OF THE INTERIM REPORT, AND OFFERS ITS ASSURANCES THAT IT WOULD BE SUPPORTIVE OF CANADIAN GOVERNMENT ACTIONS IN CONFORMITY WITH THE APPROACH OF THE COMMISSION. THE GOVERNMENT OF THE UNITED STATES, HOWEVER, COULD ONLY OPPOSE AN APPLICATION AT THIS TIME FOR WORKS OF THE NATURE CONTEMPLATED BY THE PLAN PRESENTED BY THE CANADIAN SIDE AT THE OTTAWA MEETING. THE UNITED STATES GOVERNMENT WOULD ENCOURAGE THE GOVERNMENT OF CANADA TO SUBMIT THIS PLAN TO THE INTERNATIONAL JOINT COMMISSION FOR CONSIDER-

ATION BY ITS NEW BOARD, SO THAT THE STUDY EFFORTS NOW
BEING COORDINATED MAY TAKE INTO ACCOUNT THE FULL RANGE OF
CONSEQUENCES OF POSSIBLE METHODS OF REGULATION.

"THE UNITED STATES GOVERNMENT WISHES TO INDICATE ITS
APPRECIATION OF THE COOPERATIVE SPIRIT WITH WHICH THE
GOVERNMENT OF CANADA HAS ENDORSED THE COMMISSION'S

RECOMMENDATIONS WITH RESPECT TO THE NEED FOR FURTHER
STUDY AND RESEARCH. IN CONNECTION WITH THE DISCUSSIONS
IN OTTAWA ON MAY 28, THE UNITED STATES GOVERNMENT AGREES
THAT COST-SHARING OF SUCH STUDY IN CONFORMITY WITH THE
RECOMMENDATIONS OF THE COMMISSION COULD BE MOST
EFFICIENTLY COORDINATED THROUGH THE MECHANISM OF THE NEW
BOARD, AND IS PREPARED TO COORDINATE WITH THE GOVERNMENT
OF CANADA THE TEXT OF JOINT LETTERS TO THE COMMISSION RE-
QUESTING THE BOARD TO RECOMMEND A BASIS FOR EVALUATING
THE WORK PERFORMED TO DATE ON BOTH SIDES. (COMPLIMENTARY
CLOSE.)" END TEXT. INGERSOLL

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